

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION**

MARIA CRISTINA NAVARRO, §  
§  
*Plaintiff*, §  
§  
v. § Civil Action No. SA-09-CV-603-XR  
§  
JOHN E. POTTER, Postmaster General, §  
United States Postal Service, §  
§  
*Defendant*. §

**ORDER ON MOTION FOR LEAVE TO FILE AMENDED COMPLAINT**

On this day, the Court considered Plaintiff's Motion for Leave to File an Amended Complaint (Docket Entry No. 13). The Court hereby DENIES Plaintiff's motion without prejudice for failure to comply with the rules of the Court. Pursuant to Local Rule CV-7(h):

The Court may refuse to hear or may deny a nondispositive motion unless the movant advises the Court within the body of the motion that counsel for the parties have first conferred in a good-faith attempt to resolve the matter by agreement and, further, certifies the specific reason(s) that no agreement could be made. . . .

L.R. CV-7(h) (W.D. Tex.). Plaintiff does not indicate via the body of the motion or a certificate of conference that counsel has contacted Defendant's counsel regarding this matter. Local Rule CV-7(h) is particularly important at this stage of the proceeding where, pursuant to Rule 15(a)(2), written consent to amend could be promptly obtained or leave could be granted immediately by the Court with some indication that the parties had conferred on the matter. Plaintiff's motion for leave to amend is DENIED without prejudice to refile once the party has complied with the local rules.

It is so ORDERED.

SIGNED this 24th day of November, 2009.

A handwritten signature in black ink, appearing to read "XAVIER RODRIGUEZ", is written over a horizontal line.

XAVIER RODRIGUEZ  
UNITED STATES DISTRICT JUDGE